

AN ACT
D.C. ACT 24-702

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 22, 2022

To amend, on an emergency basis, the District of Columbia Housing Authority Act of 1999 to establish a temporary Stabilization and Reform Board to govern the District of Columbia Housing Authority (“DCHA”) and to require that the Board and the Executive Director of DCHA take specific actions to reform and revitalize the operations of DCHA.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “District of Columbia Housing Authority Stabilization and Reform Emergency Amendment Act of 2022”.

Sec. 2. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 6-201) is amended as follows:

(1) Paragraph (6) is amended by striking the phrase “Board of Commissioners” and inserting the phrase “Stabilization and Reform Board” in its place.

(2) Paragraph (12) is repealed.

(3) A new paragraph (17A) is added to read as follows:

“(17A) “Dwelling unit” means any room or group of rooms located within a residential or mixed-use building and forming a single unit that is used or intended to be used for living, sleeping, and the preparation and eating of meals.”.

(b) Section 10(h) (D.C. Official Code § 6-209(h)) is amended as follows:

(1) Strike the phrase “or Commissioner of the Authority” and insert the phrase “member of the Board, or member of the former Board of Commissioners” in its place.

(2) Strike the phrase “a Commissioner,” and insert the phrase “a member of the Board, member of the former Board of Commissioners,” in its place.

(c) New sections 11a, 11b, and 11c are added to read as follows:

“Sec. 11a. Stabilization and Reform Board.

“(a) The Authority shall, from and after the date set forth in subsection (i) of this section, be governed by a Stabilization and Reform Board, which shall consist of the following members:

“(1) The following 9 voting members, each of whom shall be residents of the District:

“(A) One member with experience in housing development or operations;

“(B) One member with experience in affordable housing development, operations, or finance;

“(C) One member with knowledge of federal housing law and regulation;

“(D) One member with experience in capital project financing;

“(E) One member who is a resident of a property owned, operated, and managed by the Authority;

“(F) One member with experience as a voucher holder;

“(G) The current Executive Director of the Interagency Council on Homelessness;

“(H) The Director of the District’s Office of Budget and Performance Management; and

“(I) One member with experience in government procurement;

“(2) The Chief Financial Officer, or a designee of the Chief Financial Officer who is an employee of the Office of the Chief Financial Officer, who shall serve as a non-voting member; and

“(3) The President of the City-Wide Resident Advisory Board, who shall serve as a non-voting member.

“(b)(1) Except as provided in paragraph (2) of this subsection and subsections (c) and (f)(1) of this section, each member of the Stabilization and Reform Board shall be appointed by the Mayor, with the advice and consent of the Council pursuant to section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)).

“(2) The Director of the District’s Office of Budget and Performance Management and the Chief Financial Officer, or the Chief Financial Officer’s designee, shall serve as members of the Stabilization and Reform Board by virtue of their incumbency in the position of Director of the District’s Office of Budget and Performance Management and Chief Financial Officer or being an employee of the Office of the Chief Financial Officer.

“(c) Notwithstanding subsection (b) of this section, the Mayor may appoint the following individuals to the Stabilization and Reform Board without the advice and consent of the Council pursuant to section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)):

“(1) Raymond A. Skinner, to fill the Board seat described in subsection (a)(1)(A) of this section and to serve as chairperson of the Stabilization and Reform Board;

“(2) James M. Dickerson, to fill the Board seat described in subsection (a)(1)(B) of this section;

“(3) Christopher Murphy, to fill the Board seat described in subsection (a)(1)(C) of this section;

“(4) Melissa Lee, to fill the Board seat described in subsection (a)(1)(D) of this section;

“(5) Denise Blackson, to fill the Board seat described in subsection (a)(1)(E) of this section;

“(6) Ronnie Harris, to fill the Board seat described in subsection (a)(1)(F) of this section;

“(7) Theresa Silla, to fill the Board seat described in subsection (a)(1)(G) of this section; and

“(8) Katrina D. Jones, to fill the Board seat described in subsection (a)(1)(I) of this section.

“(d) The members of the Stabilization and Reform Board referred to in subsection (a)(1)(A) through (I) of this section shall each serve for one term of 2 years or until the Board sunsets; provided, that each such member may continue to serve until a successor board assumes the responsibilities of the Stabilization and Reform Board; provided further, that in the event of a vacancy in the seat of such a member of the Board, the Mayor may appoint a member, pursuant to subsection (b)(1) of this section, to serve the remainder of the unexpired term or until a successor board assumes the responsibilities of the Stabilization and Reform Board.

“(e) Upon a vacancy in the position of chairperson of the Stabilization and Reform Board, the Mayor shall designate a chairperson from among the members of the Stabilization and Reform Board referred to in subsection (a)(1)(A) through (I) of this section.

“(f)(1) Upon a vacancy of any seat of the Stabilization and Reform Board, the Mayor shall nominate a replacement who meets the qualifications of the vacant seat pursuant to subsection (a)(1) of this section; provided, that this shall not apply to the seat established by subsection (a)(1)(A) of this section. If the seat established by subsection (a)(1)(A) of this section becomes vacant, the Council shall appoint a successor.

“(2) A Mayoral nomination shall be submitted to the Council for a 45-day period of review, excluding days of Council recess. The Council shall be deemed to have approved a nomination under this subsection, if, during the 45-day period, no member introduces a resolution disapproving the nomination.

“(g)(1) The Stabilization and Reform Board shall meet at least 10 times per year. All meetings of the Stabilization and Reform Board shall be open to the public, except as may otherwise be authorized by the Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq.*).

“(2) All regular meetings of the Board must be publicized through a notice published in the District of Columbia Register one week prior to the meeting that contains the date, time, and location of the meeting.

“(3) Each regular meeting shall provide for a period of public comments, which shall not be limited in time, except that the time allowed for each individual speaker may be reasonably limited.

“(h) For the purposes of taking any official action, a quorum of the Stabilization and Reform Board shall consist of 5 members

“(i) The Stabilization and Reform Board established by this section shall assume authority from the Board of Commissioners established by section 12, and the Board of Commissioners shall be dissolved, upon the swearing in of at least 5 members of the Stabilization and Reform Board.

“(j) The authority shall provide to the Stabilization and Reform Board at least 2 full-time employees who are qualified to provide legal and policy research as requested by members of the Board. Except as otherwise provided by law, a full-time employee provided to the Board pursuant to this subsection shall not share with employees of the Authority information about research performed for a Board member, unless the Board member authorizes sharing of information.

“Sec. 11b. Reform activities.

“(a) Within 15 days after the end of each calendar quarter, the Executive Director shall, after submission to the Stabilization and Reform Board and the City-Wide Resident Advisory Board, submit a report to the Mayor and the Council that describes the progress of the Authority in:

“(1) Addressing and remediating the issues identified by the U.S. Department of Housing and Urban Development in its 2022 assessment of the Authority;

“(2) Developing and implementing a plan to expedite the leasing of dwelling units owned, operated, or managed by the Authority;

“(3) Identifying individual dwelling units within Housing Properties of the Authority that are in a substandard condition and improving the condition of such units to a state of good repair;

“(4) Developing and implementing a plan for the maintenance, in an ongoing state of good repair, of Housing Properties of the Authority and individual dwellings units within those Housing Properties;

“(5) Improving the management of the wait list for dwelling units within Housing Properties of the Authority; and

“(6)(A) Reviewing and developing recommendations for improvements of the Authority’s:

“(i) Capital and operating budgets;

“(ii) Capital and operating expenditures;

“(iii) Accounting and fiscal management systems, controls, and procedures; and

“(iv) Contracting and procurement systems, controls, and procedures.

“(B) Requirements of this paragraph are subject to review by the Chief Financial Officer measured against industry and government standards and best practices.

“(7) Meeting the training requirements established by sections 12(h) and 14(d).

“(b) In addition to the requirements of subsection (a) of this section, the Executive Director shall submit to the Council any updated policies, procedures, and reports provided to the United States Department of Housing and Urban Development as outlined in the Authority’s “Response to the U.S. Department of Housing and Urban Development’s March 2022 On-Site Assessment Report,” published on November 29, 2022. Such policies, procedures, and reports shall be submitted no later than 48 hours after submission to the United States Department of Housing and Urban Development.

“(c) The Stabilization and Reform Board shall:

“(1) Review the progress of the Authority in addressing the findings and recommendations of the United States Department of Housing and Urban Development’s assessment of the Authority (known as the “HUD DC001 Assessment”) each month;

“(2) Schedule and complete at least 4 listening sessions, one in each quadrant, to hear from public housing residents about concerns and experiences by May 2023;

“(3) At least once a quarter, invite the City-Wide Resident Advisory Board to report to the Board on any topics of interest or concerns, and respond to the concerns of the City-Wide Resident Advisory Board in writing, no later than 45 days following the quarterly meeting; and;

“(4) Provide recommendations to the Mayor and the Council by July 1, 2024, for the structure of a successor Board of Directors to govern the Authority on an ongoing basis.

“(d) If requested by the Council, a quorum of members of the Stabilization and Reform Board shall attend a Council oversight hearing on the Authority and provide testimony.

“(e) A quorum of members of the Stabilization and Reform Board shall be present at each listening session held pursuant to subsection (c)(2) of this section.

“Sec. 11c. City-Wide Resident Advisory Board.

“(a) The Authority shall establish and implement a comprehensive training program for members of the City-Wide Resident Advisory Board with the goal of enabling tenant members to participate fully in the oversight of the housing authority’s operation and capital planning. The Authority shall develop the training program in consultation with public housing residents and public housing industry professional organizations.

“(b)(1) The City-Wide Resident Advisory Board shall be provided access to trainings referenced in sections 12(h)(1) and 12(h)(2).

“(2) Additionally, the Authority shall provide training on relevant federal and District laws, leadership development, communication, and negotiations.

“(c) The Authority shall provide a copy of resolutions on the agenda for consideration by the Stabilization and Reform Board to the City-Wide Resident Advisory Board at least 24 hours prior to the scheduled date and time of the Stabilization and Reform Board meeting at which the resolution will be considered.

“(d) The Authority shall seek and consider the input of the City-Wide Resident Advisory Board when a policy or program change affects residents.”.

(d) Section 12 (D.C. Official Code § 6-211) is amended as follows:

(1) The section heading is amended to read as follows:

“Sec. 12. Additional Board provisions.”.

(2) Subsections (a), (b), (c), (e), (f), (g), (i), (j), (k), (l), (m), (n), (o), (p), (q), (v)(3), and (w) are repealed.

(3) Subsection (h) is amended by adding a new paragraph (7) to read as follows:

“(7) Each reference to a “Commissioner” in this subsection shall be deemed to be a reference to a member of the Board.”.

(4) Subsection (r) is amended by striking the phrase "No Commissioner" and inserting the phrase "No member of the Board" in its place.

(5) Subsection (s) is amended by striking the phrase "Commissioners shall" and inserting the phrase "Each member of the Board referred to in section 11a(a)(1)(A) through (I) shall" in its place.

(6) Subsection (u) is amended by striking the phrase "any Commissioner" and inserting the phrase "any member of the Board" in its place.

(e) Section 14 (D.C. Official Code § 6-213) is amended as follows:

(1) Subsection (c) is amended by striking the phrase "direction and supervision" and inserting the word "oversight" in its place.

(2) A new subsection (d) is added to read as follows:

"(d) As part of the process of selecting an Executive Director, the Board shall seek and consider the input of public housing residents, voucher holders, and the resident advisory board for the Authority."

(f) Section 21 (D.C. Official Code § 6-220) is amended as follows:

(1) The section heading is amended by striking the phrase "Board of Commissioners" and inserting the word "Board" in its place.

(2) Subsection (a) is amended by striking the phrase "each Commissioner" and inserting the phrase "each member of the Board".

(3) Subsection (b) is amended as follows:

(A) Strike the phrase "as a Commissioner" and insert the phrase "as a member of the Board or a member of the former Board of Commissioners" in its place.

(B) Strike the phrase "former Commissioner" and insert the phrase "former member of the Board or former member of the former Board of Commissioners" in its place.

(C) Strike the phrase "as Commissioner" and insert the phrase "as a member of the Board or a member of the former Board of Commissioners" in its place.

(D) Strike the phrase "any former Commissioner" and insert the phrase "any former member of the Board or former member of the former Board of Commissioners" in its place.

(4) Subsection (c) is amended by striking the phrase "any Commissioner" and inserting the phrase "any member of the Board" in its place.

(g) Section 26g(b)(2)(C) (D.C. Official Code § 6-232(b)(2)(C)) is amended by striking the phrase "resident commissioner and to vote for candidates for resident commissioner to serve on the Board, as provided in section 12" and inserting the phrase "resident commissioner" in its place.

Sec. 3. Conforming amendment.

Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), is amended by adding a new paragraph (27A) to read as follows:

“(27A) The Stabilization and Reform Board of the District of Columbia Housing Authority, established by section 11a of the District of Columbia Housing Authority Act of 1999, passed on emergency basis on December 20, 2022 (Enrolled version of Bill 24-1144);”.

Sec. 4. Applicability.

Section 2(a), (b), (d), (e), and (f) shall apply on the date that the Stabilization and Reform Board assumes authority for the governance of the Authority, as provided in section 11a(i) of the District of Columbia Housing Authority Act of 1999, passed on emergency basis on December 20, 2022 (Enrolled version of Bill 24-1144).

Sec. 5. Fiscal impact statement.

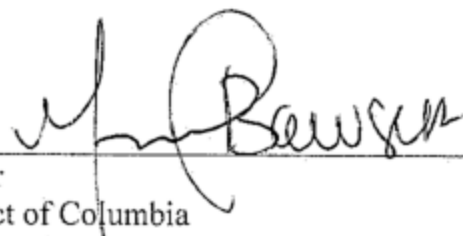
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman

Council of the District of Columbia


Mayor
District of Columbia
APPROVED
DECEMBER 22, 2022



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, DC, 20004

Docket No. **B24-1144**

[] ITEM ON CONSENT CALENDAR

[X] ACTION

[X] VOTE DATE

[X] VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

[] ROLL CALL VOTE – Result

Final Reading

December 20, 2022

Approved

Lewis George, Pinto, Silverman, and T. White

| Council Member | Aye | Nay | NV | AB | Rec | Council Member | Aye | Nay | NV | AB | Rec | Council Member | Aye | Nay | NV | AB | Rec |
|--------------------|-----|-----|----|----|-----|----------------|-----|-----|----|----|--------------------------|----------------|-----|-----|----|---------------|-----|
| Chairman Mendelson | X | | | | | Henderson | X | | | | | R. White | X | | | | |
| Allen | X | | | | | Lewis George | | X | | | | Silverman | | X | | | |
| Bonds | X | | | | | McDuffie | X | | | | | T. White | | X | | | |
| Cheh | X | | | | | Nadeau | X | | | | | | | | | | |
| Gray | X | | | | | Pinto | | X | | | | | | | | | |
| X - Indicate Vote | | | | | | AB – Absent | | | | | NV - Present, Not Voting | | | | | Rec - Recused | |

CERTIFICATION RECORD

Secretary to the Council

1-1-23

Date